

MESSAGE NO: 3248238 MESSAGE DATE: 09/05/2003

MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: LIQ-Liquidation PUBLIC ☒ NON-PUBLIC ☐  
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE 5111113  
MESSAGE #  
(s):

CASE #(s): A-588-405

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 12/01/1993 TO 11/30/1994

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: LIQUIDATION OF CELLULAR MOBILE TELEPHONES FROM JAPAN (A588-405)

MESSAGE NO: 3248238

DATE: 09 05 2003

CATEGORY: ADA

TYPE: LIQ

REFERENCE: 5111113

REFERENCE DATE: 04 21 1995

CASES: A - 588 - 405

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PERIOD COVERED: 12 01 1993 TO 11 30 1994

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION OF CELLULAR MOBILE TELEPHONES FROM JAPAN  
(A588-405)

1. MESSAGE NUMBER 5111113, DATED APRIL 21, 1995, PROVIDED LIQUIDATION INSTRUCTIONS COVERING ALL ENTRIES OF CELLULAR MOBILE TELEPHONES FROM JAPAN (A-588-405) DURING THE PERIOD 12/1/1993 THROUGH 11/30/1994 FOR ALL FIRMS EXCEPT TDK AND FUJITSU.

2. BELOW ARE THE INSTRUCTIONS THAT HAVE BEEN SENT TO DATE PERTAINING TO DETERMINATIONS BY COMMERCE REGARDING THE SCOPE OF THE ORDER ON CELLULAR MOBILE TELEPHONES FROM JAPAN FOR FUJITSU:

MESSAGE # 4026111, DATED 1/26/1994

MESSAGE # 2093207, DATED 4/3/2002

3. IF YOU ARE STILL SUSPENDING LIQUIDATION ON ANY ENTRIES OF CELLULAR MOBILE TELEPHONES FROM JAPAN DURING THE PERIOD 12/1/1993 THROUGH 11/30/1994 AFTER APPLYING THE ABOVE SCOPE DETERMINATIONS, YOU SHOULD NOW LIQUIDATE SUCH ENTRIES AT THE DEPOSIT RATE REQUIRED AT THE TIME OF ENTRY OF THE MERCHANDISE.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRY SUMMARIES FOR THE MERCHANDISE AND PERIOD LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE BUREAU OF CUSTOMS AND BORDER PROTECTION (CUSTOMS) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENT AND ASSESS INTEREST ON UNDERPAYMENT OF THE REQUIRED AMOUNT DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE THE REIMBURSEMENT STATEMENT DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER CERTIFIES THAT IT HAS AN AGREEMENT WITH THE EXPORTER TO BE REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER DOES NOT RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION,

CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING  
DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS,  
THE IMPORTING PUBLIC, OR INTERESTED PARTIES, PLEASE CONTACT BRIAN  
ELLMAN, AD/CVD ENFORCEMENT 3, IMPORT ADMINISTRATION,  
INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE, AT  
(202) 482-4852.

8. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party